The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.3808 of 2007

Dated 27-02-2007

Between:

M/s.A.R.M.Limited, (Icomm Tele Limited),
Trendest Towers, Road Nao.2, Banjara Hills,
Hyderabad.

…Petitioner

And

The Assistant Commissioner (CT) LTU,
Hyderabad Rural Division,
Hyderabad and 2 others.

…Respondents

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.3808 of 2007

O R D E R ***(Per the Hon'ble Sri Justice Bilal Nazki):***

Heard the learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending appeal, application for stay was dismissed by the competent authority. We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and direct that fifty percent of the disputed tax shall be paid by the petitioner, within a period of six weeks from today. For six weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal provided the amount is deposited within six weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal.

The Writ Petition is disposed of accordingly. No costs.

(***Bilal Nazki, J***)

Dated 22nd February, 2007

(***Nooty Ramamohana Rao, J***)

lur